IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

-

WRIT PETITION NO : 18405 of 2004

Between:

Smt. A. Sunitha, W/o. Sri A. Venkateshwar Rao,
at Janwada Village, Sankarpally Mandal,
R.R. District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Chevella Division, R.R. District.
at Attapur Village, Rajendranagar Mandal, R.R. District.
2 The Mandal Revenue Officer, Sankarpally Mandal, R.R. District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents for non-supply of E.C's to the petitioners F.P. shop No. 1 at Janwada (V) Sankarpally Mandal whose authorisation is existing and neither suspended nor cancelled and consequently direct the respondents to supply the E.C.'s as usual.

Counsel for the Petitioner: MR.BOLLAM LINGAIAH YADAV

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:

Initially the writ petition was filed to declare the action of the respondent for non-supply of essential commodities to the petitioner's Fair Price Shop No.1 at Janwada village, Sankarpally Mandal, Rangareddy District, on the ground that the authorization of the Fair Price Shop dealership is subsisting and it is not cancelled or suspended.

Though certain stocks were seized and a case was registered and by memo dated 28.9.2004 the cards of the petitioner's shop were tagged on to another shop. After filing the writ petition, the petitioner files an additional affidavit stating that the authorization of the petitioner was suspended by the first respondent vide proceedings dated 30.9.2004 pending enquiry.

The learned Government Pleader for Civil Supplies relies on the judgment of the Division Bench of this Court in R.Sankar Naik v. R.Chowla Naik wherein it has been held that suspension of authorization pending enquiry cannot be interfered with.

Admittedly, there is suspension of authorization of the Fair Price shop of the petitioner on certain allegations. The respondents are entitled to suspend the authorization. In view of the same, the writ petition is, accordingly, dismissed. No order as to costs.

(V.ESWARAIAH, J.)

21.4.2005

kpr

To

1 The Revenue Divisional Officer, Chevella Division, R.R. District.
at Attapur Village, Rajendranagar Mandal, R.R. District.
2 The Mandal Revenue Officer, Sankarpally Mandal, R.R. District.

3 2 copies to the Govt. Pleader for Civil Supplies, High Court buildings, Hyderabad (O.U.T.)

4 2 C.D. copies